

### **REMARKS/ARGUMENTS**

In view of the foregoing amendments and the following remarks, reconsideration of this application is requested. Claims 1-45 are pending with claims 1, 16, and 27 being independent. Claims 1-3, 16, 19, 27, and 44 have been amended.

Claims 1, 16, and 27 describe a method of using a first data processor to manage resources of a second data processor which performs data processing functions that support user applications. The first data processor makes a remote procedure call to the second data processor to invoke on the second data processor a program that supports management of data processing resources of the second data processor. The second data processor executes the program in response to the remote procedure call. In executing the program, the second data processor decodes the remote procedure call and calls the program.

Claims 1-2, 16, 27, 31-33, and 34-36 stand rejected under 35 U.S.C. § 103(a) as obvious over IBM-Technical Disclosure Bulletin, June 1, 1992, "Remote Procedure Calls For An Attached Processor" (hereinafter TDB) further in view of Jones U.S. Patent Application publication (US2002/0007389). Applicant requests reconsideration and withdrawal of this rejection for at least the reason that neither TDB nor Jones describes or suggests the executing step including the second data processor decoding the remote procedure call and calling the program.

TDB teaches an implementation of remote procedure calls (RPC) for managing communication between a main processor and an attached processor that allows transparent execution of user code on the attached processor. Figure 1 shows User Subroutine 1 calling User Subroutine 2 in the original program that runs entirely on the main processor. Figure 2 shows the same user subroutines, except that User Subroutine 2 is running on the attached processor. Instead of calling User Subroutine 2 directly, User Subroutine 1 calls the RPC stub. The RPC stub runs on the main processor and communicates with the RPC dispatcher that is running on the attached processor. Some communication method, such as named pipes, connects the two processors. After receiving the inputs for User Subroutine 2 from the RPC stub, the RPC dispatcher invokes User Subroutine 2. The RPC dispatcher then writes the outputs of User Subroutine 2 to the RPC stub, which returns the outputs to User Subroutine 1. TDB does not

describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. TDB on page 1, lines 24-28 teaches the RPC dispatcher invokes User Subroutine 2 and writes the outputs of User Subroutine 2 to the RPC stub, which returns the outputs to User subroutine 1. Page 1, lines 24-28 or any other part of TDB do not describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. For at least these reasons, Applicant respectfully submits that claims 1, 16, and 27 are patentable over TDB.

Jones fails to remedy the failure of TDB to describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. Jones, in relevant part, teaches a resource management mechanism provided to ensure that real-time application programs running on a single machine or set of machines exhibit predictable behavior. An activity submits a request for resources in specified amounts to a resource planner. The activity is resource self-aware so that it is aware of its resource requirements. The resource planner determines whether the activity should be granted the requested reservation by employing an internal policy. The resource planner may choose to grant the reservation to an activity or deny the request by an activity. When denying a request, the resource planner may inform the activity of what quantity of the requested resources are currently available so that the activity may submit a modified request. Jones in paragraph [0060] teaches the steps that are performed when an activity requests a resource reservation for a remote resource. A local resource planner receives a request and forwards the request to a remote resource planner for the machine on which the remote resource is found. The remote resource planner processes the request and sends a response back to the local resource planner. The local resource planner receives the response and forwards it to the requesting activity (step 116 in FIG. 9). No part of the Jones reference describes or suggests decoding a remote procedure call. For at least these reasons, Applicant respectfully submits that claims 1, 16, and 27 are patentable over Jones.

Claims 2-15; 17-26; and 28-45 depend from independent claims 1; 16; and 27, respectively. Accordingly, Applicant requests reconsideration and withdrawal of the rejections for claims 2-15, 17-26, and 28-45 for at least the reasons discussed above with respect to claims 1, 16, and 27.

Claims 3-4, 12, 14-15, 19, 26, 37, and 44-45 stand rejected under 35 U.S.C. § 103(a) as obvious over TDB in view of Jones and further in view of Weiser (5,786,819). However, Weiser fails to remedy the failure of TDB and Jones to describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 3-4, 12, 14-15, 19, 26, 37, and 44-45 for the reasons discussed above with respect to claims 1, 16, and 27.

Weiser also does not describe or suggest the elements of amended claims 3, 19, and 44. Weiser does not describe or suggest the program permitting the first data processor to set configuration parameters of the second data processor. Support for this limitation is given in Applicant's patent application specification on page 2, lines 20-21 and pages 20-21. Weiser, in relevant part, teaches in the Abstract and cols. 8-9 a method for one button searching long lists by depressing a first search button to initiate a first mode scrolling search of a plurality of list members ordered in a list. Each list member is sequentially displayed on a small display of device 90 (Figure 6), with the display typically being a handheld device 90 capable of simultaneously displaying ten lines of alphanumeric characters. In cols. 8-9, Weiser teaches a single procedure out of a number of possible procedures is called to modify state of the device 90. For instance, the called procedure may cause the device 90 to have its memory written (write mem 352). In Weiser, a remote procedure call (RPC) type interface can be layered atop an IrLAP defined subset of the link layer protocol. In a typical operating session, after receiving a number of RPC type packets, the device 90 might contain new executable code and data that is loaded into its memory. The device 90 can now execute this newly loaded code. The ability to download data and executable applications on demand permits simple updating of data files and lists such as might be needed for an electronic address book. For example, new data can be downloaded into the electronic diary or the data management executable of the electronic diary can itself be changed. No part of the Weiser reference describes or suggests an executable program permitting the first data processor to set configuration parameters of the second data processor. For at least this further reason, Applicant respectfully submits that claims 3, 19, and 44 are patentable over Weiser.

On page 5 of the Office Action mailed November 12, 2004 the Examiner states:

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of IBM-TDB and Weiser because Weiser's step of writing to the memory space of the second processor would provide low overhead data transfer to IBM-TDB'S system.

MPEP §2143.01 provides:

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed Cir. 1990).

The Examiner's motivation to combine the teachings of IBM-TDB and Weiser is not recited or suggested by TDB, Weiser, or Jones reference. Furthermore, a person of ordinary skill in the art would not be motivated to combine these references because TDB teaches a main processor attached to another second processor communicating over a stable medium such as named pipes for simplified and transparent execution of programs on the second processor. Weiser teaches portable devices 90 for displaying long lists that may communicate through infrared (IR) means shown in Figure 6 (96) to a desktop or server computer system. As described in col. 9, lines 22-32, a most preferred embodiment of Weiser's invention is suitable for intermittent communication often encountered when using devices according to the present invention. Weiser's system may retry communication requests after a suitable time out, which would be visible to the user, have a high overhead, and not be simple and transparent. Thus, for at least this further reason, Applicant respectfully submits that claims 3, 19, and 44 are patentable over Weiser.

Claims 5-6, 20-21, and 38-39 stand rejected under 35 U.S.C. § 103(a) as obvious over TDB in view of Jones and further in view of Engdahl (5,452,420). However, Engdahl fails to remedy the failure of TDB and Jones to describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 5-6, 20-21, and 38-39 for the reasons discussed above with respect to claims 1, 16, and 27.

Claims 7, 22, and 41 stand rejected under 35 U.S.C. § 103(a) as obvious over TDB in view of Jones in view of Engdahl and further in view of Menezes (5,621,894). However, Menezes fails to remedy the failure of TDB, Jones, and Engdahl to describe or suggest the

executing step including the second data processor decoding the remote procedure call and calling the program. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 7, 22, and 41 for the reasons discussed above with respect to claims 1, 16, and 27.

Claims 8, 23, and 40 stand rejected under 35 U.S.C. § 103(a) as obvious over TDB in view of Jones in view of Engdahl and further in view of Jayakumar (5,904,733). However, Jayakumar fails to remedy the failure of TDB, Jones, and Engdahl to describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 8, 23, and 40 for the reasons discussed above with respect to claims 1, 16, and 27.

Claims 9, 24, and 42 stand rejected under 35 U.S.C. § 103(a) as obvious over TDB in view of Jones and further in view of Brady (5,724,418). However, Brady fails to remedy the failure of TDB and Jones to describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 9, 24, and 42 for the reasons discussed above with respect to claims 1, 16, and 27.

Claims 10-11, 25, and 43 stand rejected under 35 U.S.C. § 103(a) as obvious over TDB in view of Jones and further in view of Schreiber (5,787,281). However, Schreiber fails to remedy the failure of TDB and Jones to describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 10-11, 25 and 43 for the reasons discussed above with respect to claims 1, 16, and 27.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as obvious over TDB in view of Jones and further in view of Nozue (5,890,189). However, Nozue fails to remedy the failure of TDB and Jones to describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claim 13 for the reasons discussed above with respect to claims 1, 16, and 27.

Claims 17, 18, and 28-30 stand rejected under 35 U.S.C. § 103(a) as obvious over TDB in view of Jones and further in view of Sitrick (5,728,960). However, Sitrick fails to remedy the failure of TDB and Jones to describe or suggest the executing step including the second data processor decoding the remote procedure call and calling the program. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 17, 18, and 28-30 for the reasons discussed above with respect to claims 1, 16, and 27.

In view of these remarks, Applicant submits that this application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account 20-0668 of Texas Instruments Incorporated.

Respectfully submitted,



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